

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JUL 16 2015

RANDY AYRES,

)

JULIA C. DUDLEY, CLERK
BY: *D. Dudley*
DEPUTY CLERK

Plaintiff,

)

Civil Action No. 3:14-CV-00011

v.

)

ORDER

KYANITE MINING CORP.,

)

By: Hon. Glen E. Conrad

Defendant.

)

Chief United States District Judge

For the reasons set forth in the accompanying memorandum opinion, it is hereby

ORDERED

that the defendant's motion for summary judgment, Docket No. 28, is **GRANTED**, and the plaintiff's motion for summary judgment, Docket No. 30, is **DENIED**. This case is hereby **STRICKEN** from the active docket of the court. The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to all counsel of record.

ENTER: This 16th day of July, 2015.

Glen Conrad

Chief United States District Judge